

IFW 3681

O I P E
AUG 14 2006
PATENT & TRADEMARK OFFICE
DOCKET NO.: IVOO-0178

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

**Charles Eric Hunter, Bernard L. Ballou,
Jr., Kelly C. Sparks and John H. Hebrank**

Application No.: **09/855,992**

Filing Date: **May 15, 2001**

For: **MUSIC DISTRIBUTION SYSTEM**

Confirmation No.: **9374**

Group Art Unit: **3621**

Examiner: **Pierre E. Elisca**

DATE OF DEPOSIT: August 9, 2006

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.



TYPED NAME: Michael D. Stein
REGISTRATION NO.: 34,734

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

- A Preliminary Amendment.
- A Reply Responsive to the Office Action Dated _____.
- A Reply Supplemental to the Paper filed _____.
- A Substitute Specification (pages 1 - _____) in clean form.
 - A substitute specification (pages 1 - _____) with markings.
- An Abstract is enclosed.
- replacement sheets of drawings are enclosed comprising figures _____.
- Request is hereby made to accept black and white photograph(s) in this case, as they are the only practicable medium for illustrating the claimed invention. One (1) set of black and white photographs comprising figure(s) _____ is submitted herewith.

- Petition is hereby made to accept drawing(s)/photograph(s) in this case.
- Three (3) sets of color drawing(s)/photograph(s) and black and white photocopy that accurately depicts to the extent possible, the subject matter shown in the color drawing(s)/photograph(s), are enclosed, comprising figures
- An amendment to the first paragraph in that portion of the Brief Description of the Drawings is also enclosed herewith advising that the patent contains at least one drawing/photograph in color.
- A Certified Copy of each of the following applications: _____ is enclosed.
- An Assignee Power of Attorney is enclosed.
- Information Disclosure Statement.
 - Attached Form 1449.
 - A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- A Terminal Disclaimer is attached.
- Appendices as follows:
- Other: Communication re Information Disclosure Statement
- No Additional Fee is Due.**
- Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as
- This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	SMALL ENTITY FEE	NOT SMALL ENTITY FEE
TOTAL CLAIMS	13	97	0	\$25 EACH	\$ \$50 EACH	\$ \$0.00
INDEP. CLAIMS	2	6	0	\$100 EACH	\$ \$200 EACH	\$ \$0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$180	\$ \$360	\$ \$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$60	\$ \$120	\$ \$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$225	\$ \$450	\$ \$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$510	\$ \$1020	\$ \$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$795	\$ \$1590	\$ \$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$1080	\$ \$2160	\$ \$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus (\$)	\$ minus (\$)	\$ \$
<input type="checkbox"/> TERMINAL DISCLAIMER				\$65	\$ \$130	\$ \$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:						
TOTAL FEE DUE				\$	\$	\$ \$0.00

- A check in the amount of \$.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- Please charge Deposit Account No. 23-3050 in the amount of .00. This sheet is attached in duplicate.
- The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of the fees associated with this communication to Deposit Account No. 23-3050.
- Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Office Action of _____ to and through _____ comprising an extension of the shortened statutory period of _____ month(s).

- The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

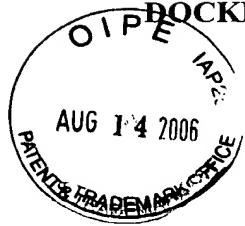
Date: August 9, 2006



Michael D. Stein
Registration No. 34,734

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

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TYPED NAME: Michael D. Stein
REGISTRATION NO.: 34,734

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

COMMUNICATION

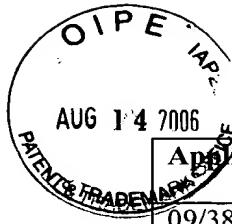
- Applicant wishes to advise the Examiner of certain co-pending applications or patents that are related to the present application. In particular, the Examiner is respectfully advised of the following sixteen (16) matters: Application Numbers 09/493,854, 09/385,671, 09/436,281, 09/476,078, 09/502,069, 09/553,524, 09/645,087, 09/675,025, 09/707,273, 09/737,826, 11/085,944, 11/351,724, 11/361,115, 11/361,091, and 11/449,420 are presently pending, and U.S. Patent Number 6,952,685 issued on October 4, 2005. The attached page contains a table identifying the Group Art Unit and examiner handling each of the pending applications.

Date: August 9, 2006


Michael D. Stein
Michael D. Stein
Registration No. 34,734

WOODCOCK WASHBURN LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

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AUG 14 2006

Application No.	Filing Date	Examiner and GAU	Our Docket No.
09/385,671	08/27/1999	Aaron N. Strange (2153)	IVOO-0097
09/436,281	11/08/1999	Andrew Y. Koenig (2611)	IVOO-0098
09/476,078	12/30/1999	Calvin L. Hewitt II (3621)	IVOO-0099
09/493,854	01/28/2000	Gerald J. O'Connor (3627)	IVOO-0002
09/502,069	02/10/2000	Saleh Najjar (2157)	IVOO-0137
09/553,524	04/20/2000	Andrew Y. Koenig (2623)	IVOO-0138
09/645,087	08/24/2000	Andrew Y. Koenig (2623)	IVOO-0139
09/675,025	09/28/2000	Sean M. Reilly (2153)	IVOO-0140
09/737,826	12/15/2000	James R. Sheleheda (2623)	IVOO-0141
09/707,273	11/06/2000	Cuong H. Hguyen (3661)	IVOO-0145
09/855,992	05/15/2001	Pierre E. Elisca (3621)	IVOO-0178
11/085,944	03/21/2005	Pierre E. Elisca (3621)	IVOO-0201
11/351,724	02/09/2006	Not Yet Assigned	IVOO-0204
11/361,115	02/24/2006	Not Yet Assigned	IVOO-0202
11/361,091	02/24/2006	Not Yet Assigned	IVOO-0203
11/449,420	06/07/2006	Not Yet Assigned	IVOO-0209
Patent No.	Issue Date	Examiner and GAU	Our Docket No.
6,952,685	10/04/2005	Pierre E. Elisca (3621)	IVOO-0100